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ECONOMIC DEVELOPMENT AND INDIAN PEOPLE IN BRAZIL - A STUDY
OF THE NAMBIQUARA AND THE KAYAPÓ CASES

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Understanding specific conflicts that Indigenous peoples face in contemporary Brazilian history requires that one first keep in mind a fundamental data: the low demographic rate of Indians in the country, who are about 250,000 individuals among a national population of 140 million people (0,2% of the total population). The Indian population is yet divided in some 200 different ethnic groups, most of which very small, spreaded throughout the country, even though a large concentration of them is in the Amazon region. They traditionally occupy 526 areas, which are about 10% of the Brazilian territory (RICARDO, 1991).

Indian peoples' concentration at the Amazon region resulted from the colonization process in Brazil, which has historically happened from the east coast to the west, slowly pushing them towards the interior, to the untouched regions closer to the Brazilian borders. Nowadays, Indian lands are often seen as large reservations of natural resources, likely to have mineral riches to be exploited. This fact by itself has been enough to make those lands a target for economic interests all over the country. On top of it, as so much attention has been paid to the Amazon lately, both on the national and international level, the region became an strategic priority for development programs

of the Brazilian government, which hardly ever take into account Indian peoples or their lands. In a country where the majority of the population faces extreme poverty, Indian peoples are going through serious conflicts to avoid that economic development violates their rights.

From the very beginning of the Brazilian colonization process, the State undertook the role of setting the terms for interaction with native peoples, as well as of defining the rules of such interaction. Since the Portuguese colonization began until the establishment of the Federal State, the definition of those rules has been changing, focusing each time on distinct interests, which resulted, sometimes, in the physical extermination of entire peoples (genocide), and other times, in policies aimed at their integration into the national economy as cheap labour force and at their assimilation by the non-Indian society (ethnocide). Until very recent years, the official Indigenist policy in the country was driven by the idea that Indians were fated to lose their own identities, becoming regular members of the Brazilian society.

Indians, who were millions of people in the 16th century, had to face state domination to the extent that most Indigenous peoples in Brazil, during the 70s, were under the threat of disappearing. It was in those years that the economic frontier penetrated the far north and west regions of the Brazilian territory for the first time.

During that decade, fiscal incentive policies established by the military governments and the economy's opening for foreign investments highly encouraged the economic front to exploit the area up to the Brazilian borders, bringing the conflicts resulting from the disorganized occupation of the territory to Indigenous lands.

The years that followed that decade were marked by the fact that the decision-making power regarding Indian rights succumbed to the tutelage of the militaries, reaching its most critical point by the end of the 80s, under the so-called "Calha Norte Project". The "Calha Norte Project", created by the National Security Council (a governmental body controlled by the military), was to take care of and develop the Amazonian borders. It had in itself elements which illustrated the enormous importance that the Indian issue had acquired because of the national security defense doctrine, which was behind every official policy in those days. Issues such as the existence of mineral resources in Indian lands, the large territorial extent of some Indigenous areas, and the fact that many areas were located in international border strips started to be used as arguments to justify the need to integrate Indians, and to manipulate the land demarcation process in accordance with this perspective.

On the other hand, it was during those two decades that the Indian issue emerged as a major concern for the

organized Brazilian society. Indian leaders began to receive political recognition within the non-Indian context, and the majority of NGOs which now defend Indian rights were established in this period. By the beginning of the 80s, contradicting the worrying signs of the 70s, the declining demographic curve of the Indigenous population started to reverse, showing a general tendency to a significant increase on the number of Indians in most groups.

The National Constituent Assembly (in charge of voting the new Brazilian Constitution) took place in 1987, while the last fragment of the assimilationist official policy was being implemented in the country. In spite of that, its final work clearly opposed that policy, putting an end to the intention of establishing a distinction among Indians with regard to their degree of cultural adaptation, and eliminating the idea of a forced integration, by recognizing Indians' rights to maintain their social organization, customs, languages, beliefs and traditions. Voted in October, 1988, the new Constitution defined a concept of Indigenous land, guaranteeing protection to those lands needed for Indian peoples' physical and cultural reproduction and the preservation of all natural resources necessary for Indians' well-being, according to their own use, customs and traditions.

Unfortunately, Indians' conflicts and problems have not ended after the 1988 Constitution. The main issue continues

to be guaranteeing, in practice, the recognition of and control over their traditional lands. Official recognition is a long process, often subjected to all kinds of political pressure, in which Indians only participate of the preliminary steps. On top of it, powerful interests have lately been able to sell a pernicious idea: that "in Brazil, there is too much land for very few Indians". The process of Indigenous land recognition must always overcome such premiss, by convincing the authorities of the Indians' need for a given territory. As if that was not enough, official recognition does not always imply prompt and peaceful possession of the lands. Indian areas are frequently invaded by farmers, gold miners, loggers and settlers, who keep ignoring Indian peoples and their rights. The administrative process may be perfect, but Indians still have to go through another battle: the judicial recovery of their own territory.

In this article, we will discuss two cases of Indian peoples from the Brazilian Rainforest, in order to give an idea of the diversity of problems they are now facing, the strategies which are being taken by each group and the kind of alternatives there are in each case. The first case is about the Nambiquara Indians, who have had their lands demarcated and ratified by the Brazilian government years ago, however are often victims of all kinds of invaders and economic pressure. The Nambiquara Indians have chosen to

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demand for judicial protection of their territory, forcing the governmental Indigenist agency (FUNAI) and the governmental agency for environment protection (IBAMA) to remove the invaders and to pay for the damages caused to them. Secondly, we will present the Kayapo case, where the Indians have had to deal with the economic pressure from powerful timber companies and with a major "gold rush" into their territory, choosing to try to negotiate with and control them.

THE NAMBIQUARA CASE:

The Nambiquara ("pierced ear" in tupi language), whose population was estimated in 20,000 Indians in the beginning of this century, are divided into several sub-groups. They now live in four Indigenous areas at the mid and north-west regions of the country - Sararé, Guaporé Valley, Nambiquara and Pirineus de Souza, totalling some 800 individuals. Despite living in different ecosystems (savanas and tropical forest), the Nambiquara groups belong to the same linguistic family and share other cultural traits in common. They live mainly from hunting, fishing and small plantations, and are widely known as "people of the ashes" or "grey people", because they sleep on the floor, close to the fire, on a mixture of ashes and sand, usually covering their own bodies with such mixture. The Nambiquara became

famous in the 70s as the Brazilian Biafra, when a measles epidemic killed a large part of their population, undernourished and expelled from their lands.

The Sararé Indians, also known as Katitauru, are a sub-group of the Nambiquara people. Until the beginning of the century, the Sararé numbered 6,000 individuals. They used to occupy a vast area of some 5 million hectares, from the upper Guaporé River through what is today the state of Rondônia (AWARU, 1992). Now, they live in the Sararé Indigenous Area, on the west part of Mato Grosso, a region of the Amazon Rainforest. They are a very isolated group of not more than 70 Indians, who do not speak Portuguese and have very little understanding of the non-Indian culture. Their territory has 68,000 hectares, demarcated by the Brazilian government in 1981, and ratified by presidential decree in 1985, because of the tragedy that assaulted this people after the construction of highway BR-364, which crossed the Nambiquara territory, connecting the city of Cuiabá to Porto Velho.

During the construction, which began in the 60s, all Nambiquara groups from the forest were contacted, mostly by American missionaries. In October, 1968, the government, attempting to concentrate every Nambiquara group in just one area, delimited the "Nambiquara Reservation" on the savana region (where only one in each ten Nambiquara Indians lived). Immediately after establishing the reservation,

while the Indians were still in their own lands, the governmental Indigenist agency issued several certificates, assuring the non-existence of Indians in Nambiquara's traditional areas. In the meantime, the federal government began to support whoever wanted to invest in the region, implementing the so-called "Polo-Amazônia", a program of tax incentives for the Amazon development.

The consequences of a massive migration of non-Indians, who came to the region attracted by that program, would soon be seen: many Nambiquara died of hunger and non-Indian diseases, against which they had no natural defenses. Those who survived had to be rescued by helicopters of the Brazilian Air Force, which found them scattered throughout the region, under extremely deplorable conditions. The Indians, who up to this day still use bows and arrows to hunt and fish, had to suddenly face the non-Indian world all at once. Attracted by what was happening around them, they abandoned their routines, leaving even their own crops behind. Many got deeply sick of flu or malaria, until a measles epidemic killed most of them: the entire population under 15 and at least 50 Sararé Indians died of measles (VALADÃO, 1980).

In view of such alarming facts, the governmental Indigenist agency (FUNAI) started a forced transfer of the Indians to the reserved area on the savanas. However, the forest groups did not know how to live in savanas, where

they were not able to grow their traditional crops, neither hunt or fish what they were used to. It was another disastrous measure, followed by new epidemics and deaths. By that time, a visiting medical doctor from the International Red Cross publicly admitted that the situation of those Indians had become a shame for Brazilians and humanity. The Nambiquara groups, unable to restore their lives in this area, started to return by themselves, walking back towards their original territory.

This situation was firmly addressed by the press, affecting public opinion in the country and abroad. It created so much pressure that the federal government had to retreat and establish another area in the forest region: the Sararé Indigenous Area is temporarily delimited in 1974. Again, other Nambiquara groups were transferred to this area together with the Sararé themselves, who continued to suffer the consequences of this policy. The federal government kept implementing its development programs for the region, which were funded, at that time, by the World Bank. It was only in 1981, after a large campaign carried out by NGOs in Brazil and the U.S.A., that the government declared the 68.000 hectares as of Sararé's permanent possession, delimiting the Guaporé Valley Indigenous Area for the other groups. In 1985, the demarcation process was finally ratified by presidential decree.

Sararé's problems, however, did not end there. Their area, surrounded by ranchers and loggers who came with the economic expansion, became a target for illegal timber extraction and cattle raising. Under the omission of the federal government, that did not effectively protect the Indian territory, the demarcation of the Sararé Area was definitely ignored by the Indians' neighbors.

In 1991, a large amount of gold was found on the "Dirty Water River", on the west border of the Sararé Indian Area. Over 6.000 gold miners invaded the margins of the river, entering the Indian Area and causing irreversible environmental and social damages. The Dirty Water River was completely polluted and poisoned by mercury and other chemicals used in the extraction of gold, and over 200 hectares of forest were destroyed by their activities. The pollution of the river affected fishing and the noise from the machines used by the prospectors drove off the hunt. According to FUNAI, more than 75% of the Sararé population caught malaria. In spite of that, the government did not take any coercive measure.

The Indians, assisted by an anthropologist and a local official of FUNAI, Marcelo dos Santos, who had been fighting to solve the problem by himself, decided to look for judicial protection for their rights. They came to the Nucleus for Indigenous Rights, an NGO based in Brasília,

which filed a lawsuit on their behalf before the 9th Federal Court, on October 16th, 1992.

The judicial decision came on December of the same year, when the federal judge granted a preliminary injunction favorable to the Indians: he ordered that FUNAI, IBAMA (the agency for environment protection) and the Federal Police immediately removed all gold miners from Sararé lands. When the team was ready to implement the order, a surprising announcement interrupted the work: the governor of the state of Mato Grosso had made an agreement with the gold miners, allowing them to stay 60 more days in the Indigenous area. The agreement, which clearly violated a Judiciary's decision and encouraged the destruction of the environment, was later known to have had the support from local officials of IBAMA.

It was only five months later that the gold miners were finally expelled from the Sararé Area. The Indians are now demanding that the Court determine that IBAMA implement environmental recovery projects in the area, and that the Federal State compensates them for the losses and damages they have suffered because of the government's omission.

On behalf of the Sararé Indians, the Nucleus for Indigenous Rights has recently brought another law suit before the Federal Court, this time, against a logger who has been stealing mahogany from their lands. The law suit aims at obtaining from the logger monetary compensation for

the damages caused to the Sararé, as well as at condemning him to pay all the expenses for the implementation of recovery projects on the deforested areas. There is no judicial decision in this case yet.

In light of the Sararé initiatives, the Hahaintesu, a Nambiquara group from the Guaporé Valley Indian Area, has decided to demand the judicial protection of their rights. The Nucleus for Indigenous Rights has so far brought two law suits before the Courts, on behalf of the Hahaintesu, both against loggers who steal mahogany from that Indian Area. The cases have already received a favorable opinion from the Federal Prosecutor, who has the constitutional duty to defend Indian rights. The Prosecutor not only supported them but also stated that these measures should serve as examples of effective protection of Indian rights, to be followed by his colleagues all over the country.

In April, the Nucleus for Indigenous Rights has filed another lawsuit on behalf of the Waiksu, another Nambiquara group from the Guaporé Valley Indian Area. The lawsuit is against a rancher, who had been long crossing the border of the group's traditional lands in order to expand his cattle raising activities. The Indians demand the immediate removal of 8.000 animals from their area, as well as monetary compensation for their losses and damages. This case also waits for a judicial decision.

THE KAYAPÓ CASE:

The Kayapó ("like monkey" in tupi language) are a large people who live in several Indigenous areas on the central region of Brazil, around the Xingu and the Tocantins rivers. They call themselves "Mebengokre", which means the people of the place between waters. The Kayapó have a long history of contact with non-Indians, which has certainly affected their social organization and culture. They have had a lot of changes on their way of life during their almost four hundred years of existence, which are due to their increasing integration with the non-Indian society, of which they have become very dependent. This integration process has made them lose many members of the group, part of their territory, as well as some political, social and cultural autonomy.

However, theirs was not just another process of political decline and cultural destruction of a people. The Kayapó People has surprisingly been able to maintain, and even expand, their control over internal matters according to their own traditional values. The truth is that they have learned how to adapt their domestic institutions in order to attend the new demands, resulting from the social transformations they are continuously suffering.

The most accurate information about the Kayapó history points out to the beginning of the 19th century as the time

of the first contact between this people and non-Indians. The group would have been attacked by Portuguese slave-hunters, fleeing towards the west. By that time, the Kayapó population was estimated in 4,000 Indians, divided in three large communities. One of these communities was extinguished after several conflicts and epidemics, resulting from the contact with settlers who came to that region around 1890. The two others, because of internal disputes, ended up divided into the current existing 14 communities. Traditional warriors, it was only in 1937 that the first Kayapó community established peaceful relations with Brazilians. The others were only contacted during the 50s. Their population is nowadays around 2,500 to 3,000 individuals (TURNER, 1990).

The Kayapó started to depend on the non-Indian society a long time before their so-called pacification process. The search for fire guns, which they used to obtain in commercial transactions with local settlers, and later, fabrics and tools, marked the initial steps of such economic and political dependency. Regular contact with the non-Indian society has only enhanced and renewed its form.

In the beginning of the 80s, the Kayapó Indian Area, a territory of some 3,200,000 hectares by the Xingu River, was invaded by thousands of gold miners. Looking at the invasion as a consummate fact, the Kayapó from the Gorotire village, on the southeast part of the Area, decided to

control the gold commerce, asking for a percentage over the transactions in cash, with which they intended to invest in real estate, transportation and regular consumer goods, including the payment of official assisgency services that, according to the Brazilian law, they should have been receiving from FUNAI.

In 1985, upset at the fact that they could not get their lands demarcated, that the percentage rate they were receiving from the gold miners was too low (0,1% over the selling price), that the mining activities were getting each day closer to their village, and that the mud and mercury pollution on their rivers were showing disastrous effects, the Gorotire community occupied the headquarters of the so-called Maria Bonita gold mining area, attempting to expell the gold miners and stop their activities. They succeeded at first, but were not able to sustain the battle on their own for a long time. The gold miners returned, this time, to stay. The years that followed that incident were marked by an increasing interaction between gold miners and Kayapó, who established a peculiar pattern of relationship: the direct involvement in the gold commerce of the older chiefs and their adult sons, who worked during alternated shifts in order to make sure that there would be always someone in charge of the traditional activities in the village.

The mining areas are basicly three: Maria Bonita (some 3,000 men and 450 pairs of machines), Cumaruzinho (300 men)

and Arara Preta, where the Gorotire community owns half of the machines. These areas are far from each other, connected only by short paths which end up out of the Indian territory, in Redenção, the closest town. Each one has at least one tiny landing strip, from where only small airplanes can take off. The Maria Bonita mining area has a village to serve all the workers: pharmacies, bakery, three movie theatres, special TV rooms served by two parabolic antennas where the audience must pay for entrance tickets, hardware stores, gas stations, a SUCAM post (the agency of the Health Ministry in charge of sanitary medicine) and other services. The Kayapó have established in this village their own headquarters, with offices and lodging accommodations, from where they coordinate and control the activities with the help of FUNAI officials. They have also built controlling posts at every access path, landing strip and main entrances of the area. The control system is directly linked to the Gorotire village and its 800 Kayapó. An Indian office at Redenção is the final stop of the gold transaction circuit (PIB/CEDI, 1991).

The Gorotire community does not actually work on the mining activities. They only supervise the commercial transactions and control the cash flow. At the watching posts, the designated Kayapó warriors inspect whoever wants to come in and go out the area, to avoid gold smuggling. Once in a while, they verify the areas where the mining

activities take place, looking for guns and alcohol. Women are not allowed there either.

In 1989, there were four gold companies from the estate of São Paulo, which had received FUNAI's credentials to operate in the Kaiapó Indian Area: Goldmine, Marsa, Brasouro Metais Ltda. e Santa Maria. Their representatives would come to the area one after the other, three times a week. The gold miners would then make a long line in front of the commercial office, from where the Kayapó warriors would control every transaction. The company's representative would pay each gold miner in cash, handing him a receipt. Following that, the gold miner would go to the coordination headquarter to pay 12% of the total value shown on the receipt to the Gorotire Indians. Another receipt would then be furnished by the FUNAI official. After finishing all the transactions, the company's representative would pay to the Indians 1% of the total amount he had paid to the gold miners. At the end of the day, the money received by the Indians would be carried by plane to Redenção, where it would be deposited at the Indians' collective bank account.

The Gorotire's money has changed the community's life completely. They have bought around twelve cars for their chiefs, which are driven by hired non-Indian drivers. During the rain season, the community spends a lot of money on their own small airplane and other airplane freights. A

substantial part of their profits is to pay hospital expenses and supermarket bills. However, they also spend a lot of money on staff salaries and fuel for the motor that brings electricity to their village (which needs some 40,000 liters of diesel per month).

Since the Gorotire Indians were not able to expell the gold miners from the Kayapó Indian Area, gold mining has become a major profit source for the community. However, after a decade, the consequences of such activities on their territory can be easily noticed. A quick fly over the area shows how devastated the region is, specially that of the Fresh River, a tributary of the Xingu. Antônio Carneiro Barbosa, a Chemistry professor of the Universtiy of Brasília, has recently denounced that most Kayapó Indians are contaminated by mercury. The worst situation is that of the Gorotire and Kikretum villages, because of their proximity of the Fresh River. At least 85.7% of the Kikretum Indians have been poisoned so far. At the Gorotire village, this percentage goes down to 50.5%. The chief of the Kikretum village was Tutu Pombo, who died last August of a cerebral palsy. He was the most active defender of the gold mining activities on Kayapó territory, having controlled the transactions for several years before his death.

During the 80s, another major economic interest started to enter the Kayapó territory: the timber companies. In

1983, the Kikretum community signed the first of a series of contracts between Kayapó and timber companies. The 1983 contract had the participation of FUNAI, which agreed at that the company would build a 30 kilometer road linking the village to the Tucumã Project (a governmental development project based at the vicinities of the Kayapó territory), a wood bridge over the White River, a 600 meter enlargement of the village's landing strip, and a 20 hectare deforested area for coffee and cocoa plantation purposes by the White River, in exchange of 4,500 mahogany trees from the Indian area (PIB/CEDI, 1991).

As the Kikretum, the Kokraimoro, Gorotire, A'Ukre and Kuben-Kran-Ken communities (all from the Kayapó Indian Area) have been negotiating with the timber companies. The mahogany extracted from their areas represents a significant portion of the total amount exported by the country. In 1987, 69% (112,702 m³) of the mahogany that Brazil exported came from the Kayapó Area, according to official data. In spite of that, the prices paid to the Indians are extremely low in comparison to the final prices on the foreign market: in 1988, the Kayapó from A'Ukre received US\$ 40,00 for each cubic meter of mahogany sold, while the export price in 1987 was US\$ 464.34 - eleven times higher (PIB/CEDI, 1991).

Most recently, however, the Kuben-Kran-Ken's mahogany production has decreased. It is the first sign that their natural reserves have started to drain. Since 1985, the

Xikrin (a Kayapó sub-group who occupies the Indigenous Areas of Xikrin from Cateté and Trincheira Bacajá) have also been selling mahogany to the timber companies - timbermen are going after every non-exploited Kayapó land. The A'Ukre community is the only one who has been trying to reduce timber exploitation in their territory. During the last few years, they have been speaking about the need to find economic alternatives to mahogany extraction. In fact, the community is already trying to raise funds for a project of reforestation of their territory, which also proposes the development of new economically sustainable activities.

EXPLOITATION OF NATURAL RESOURCES IN INDIAN LANDS:

According to the Brazilian Constitution, every mining activity on Indigenous lands must be first authorized by the National Congress, after listening to the affected Indian community. The authorization shall follow a procedure established by a statutory law, which is yet to be voted by Congress. The Bills which are now being analysed by Congress definitely prohibit gold miners from working in Indian lands. There is an overwhelming understanding that the consequences of the activities of an unlimited number of individuals, whom hardly ever can be submitted to an effective form of control, are much more detrimental for the Indigenous peoples than the mining companies themselves.

Under that perspective, only mining companies duly authorized would be allowed to mine on Indian lands. In any case, until the procedure be regulated, mining on Indigenous lands is illegal.

With regard to timber exploitation, there have been a long and controversial discussion among the people who are worried about the situation of Indigenous areas. The Constitution establishes that Indian lands belong to the Federal State, but that the Indians have the right to their permanent possession and the exclusive usufruct of all natural resources of their soil, rivers and lakes. In light of that, many people have affirmed that usufruct does not imply the destruction of the trees. In this case, timber exploitation on Indigenous lands would be always unconstitutional. This has been the opinion of the Federal Prosecutors Office, which, as mentioned above, has the constitutional duty to defend Indian rights.

On the other hand, based on a provision of the Indian Act (a statutory law that regulates Indigenous rights), which expressly subjects timber exploitation to the approval of reforestation projects, others have defended the idea that Indians are allowed to commercialize their timber, provided that a plan for the sustainable management of the area be implemented and that all the profits be used by the respective community. This has been the position of those who think that the fact that Indian lands belong to the

State cannot serve as an argument to limit Indians' autonomy regarding their own economic resources. As timber exploitation is permitted even in the so-called conservation areas (conditioned to some protective measures), there would be no reason to impose an extra limitation to Indigenous lands. Besides, they believe that, today, Indians have very little chances of resisting the powerful pressure of timber companies, as well as that the Federal State has no real conditions of protecting Indian lands from being invaded by them. Therefore, the requirement of reforestation projects and of a fair payment to the Indians would certainly be more effective than a general prohibition.

Finally, it is important to mention that in 1993, Brazil will go through a process of revising its constitutional text. In the meantime, the National Congress will be analyzing a Bill aimed at changing the Indian Act in order to update and adapt it to the new Constitution. It is widely known that both mining and timber companies will strongly lobby to introduce new concepts to those texts, protecting their own interests, which, according to them, have been severely harmed since 1988.

CONCLUSION:

Nowadays, economic development is the major priority of the Brazilian government. The situation of extreme poverty

of the majority of the country's population is a challenge that must somehow be overcome in a short period of time. Justified by this perspective, the government has opted for an economic pattern under which it has established a number of development projects that violate Indian peoples rights, who are often seen as obstacles to such development. Moreover, federal authorities have continuously omitted themselves before the killing of Indians, the invasion of their lands, and the damages caused to Indigenous patrimony. They seem to look at these facts as secondary problems, or as the price to be necessarily paid in the name of the so-called economic progress.

As the Amazon became such an strategic region for the country, the Brazilian government has been focusing its public policies on the economic development of that area. Because of that, Indian peoples who inhabit the Brazilian Rainforest have become the main target for unscrupulous interests, which take advantage of the government's omission to benefit themselves by violating Indian rights. In the two cases presented in this article, both Nambiquara and Kagapó people have had to face enormous conflicts with the non-Indian society related to the economic issue.

The first case, about a people who is very isolated and wants to continue like that, has shown how bad the consequences of a highway construction on the Indians' territory were, and how they were deeply harmed by a recent

invasion by gold miners. Regarding the construction of the highway, it was the old assimilationist policy, together with the governmental option to implement development projects in that region, that determined the suffering of the Nambiquara people. The second situation, however, had all to do with Brazil's current economic situation. The so-called "garimpo" (mining activity) is a social disturbing problem, which has been causing troubles all over the country. The gold miners are an unlimited number of unknown people, usually very poor and unemployed, who are looking for better conditions of life. They are a group manipulated by a few real beneficiaries, who use them as cheap labor force. As the government does not give them any other economic alternative, they run from one place to another, entering Indigenous lands in search for gold. At the same time, the government does not effectively protect the Indians, allowing that they suffer all the consequences of gold miners' illegal activities. The Nambiquara have gone through a painful learning process, which took them to believe that judicial measures could be the solution for their problems.

In the second case, we have reported on a people, who have decided to face the non-Indian world, learning how to deal with it. The Kayapó have gone through a hard interaction process, in spite of which they were able to survive and, more than that, to bravely keep their

traditional uses, beliefs and customs. During this period, they have learned to control the activities of gold miners, taking advantage of it. They are now gaining control over their transactions with timber companies. In both situations, they have dealt with the idea that it was impossible to avoid the economic pressure. Therefore, it became more effective to control it. As regarded to the timber exploitation, the Kayapó have been able to understand that being one of the most valuable timber species on the external market, mahogany natural reserves in that region of Brazil are about to disappear. What is left of the traditional reserves on the Xingu River and the southern region of the state of Pará is now under federal and state special protection systems. That is why the pressure over Indigenous area, specially theirs, have increased so much. They have also realized, looking at their own history, that the federal government has no real conditions to protect them.

The Nambiquara and the Kayapó people have taken different strategies to solve their conflicts. However, both strategies have had problems. The judicial alternative, taken by the Nambiquara, is a complicated one. Judicial measures usually require that the Indians be assisted by non-Indians. Moreover, the implementation of a judicial order is always subjected to the political will of the local authorities, who may be bound to other interests.

In other words, the Indians must count on non-Indians and be very patient to wait for a decision over which they have no control. On the other hand, choosing to deal with and control their own conflicts, the Kayapó have had to pay a high price. The size of their current environmental problems and the consequences for the health of the people are forcing the Indians to review their own choices. The truth is that the impact of economic activities over Indigenous lands will continue until a more reasonable economic pattern be adopted by the government. While that does not happen, Indians will have to find their own ways of solving the conflicts. At this point, they have learned from other groups' experiences, and know that there is no ideal formula.

REFERENCES:

- AWARU (Commission for Indigenous support for the Nambiquara People)
1992. Brazil: Gold Miners Invade the Indigenous Area of Sararé
IWIGIA Newsletter, No. 3, July-September.
- CORREIO BRASILIENSE
1992. Caiapós estão contaminados
30/10/92, Page 13.
- CEDI (Centro Ecumênico de Documentação e Informação)
(Equipe de Redação)
1991. Operação Ouro-Gorotire financia assistência e consumo em estilo Kayapó
In Povos Indígena no Brasil, Aconteceu Especial 18 - 1987/88/89/90.
CEDI, Centro Ecumênico de Documentação e Informação, São Paulo, Pages 310/311.
- CEDI (Centro Ecumênico de Documentação e Informação)
(Equipe de Redação)
1991. O mogno Kayapó
In Povos Indígena no Brasil, Aconteceu Especial 18 - 1987/88/89/90.
CEDI, Centro Ecumênico de Documentação e Informação, São Paulo, Pages 312/315.
- CTI (Centro de Trabalho Indigenista)
(Milton Severiano da Silva and Vicent Carelli)
1980. Mão Branca contra o Povo Cinza - Vamos matar este índio?
Brasil Debates.
- LEONEL, Mauro, Betty Mindlin and Carmem Junqueira
1992. The Joint Responsibility of the International Community in the Indigenous and Environmental Issues of the Brazilian Amazon.
IWIGIA Newsletter, No. 3, July-September.
- RICARDO, Carlos Alberto
1991. Quem fala em nome dos índios?
In Povos Indígena no Brasil, Aconteceu Especial 18 - 1987/88/89/90.
CEDI, Centro Ecumênico de Documentação e Informação, São Paulo, Pages 69/70

RICARDO, Carlos Alberto

1991. Indian Lands in Brazil: Official Recognition of Territorial Right as a Political Process
Unpublished paper, presented at the "Seminar on Recognition of Indian Territorial Rights in South America", organized by NIR and by Red Amazonica.
Brasília, December 9th-12th.

SANTILLI, Márcio

1990. Os Direitos Indígenas na Constituição Brasileira
In Povos Indígenas no Brasil, Aconteceu Especial 18 - 1987/88/89/90.
CEDI, Centro Ecumênico de Documentação e Informação, São Paulo, Pages 11/14.

TURNER, Terence

1992. Os Mebengokre Kayapó: História e Mudança Social.
In História dos índios no Brasil, organized by Manuela Carneiro da Cunha, FAPESP/SMS, Companhia das Letras, São Paulo.

VALADÃO, Virgínia Marcos

1980. Perícia antropológica referente a ação de interdito proibitório que Helio Pereira Pereira de Moraes e mulher movem contra a Fundação Nacional do Índio
Processo no. 15.663/85-V, 2ª Vara Federal/MT, Unpublished paper.